

## **REMARKS**

Reconsideration of this application is respectfully requested in view of the following remarks. Claims 1-12 are currently pending in the application and subject to examination.

In the Office Action mailed August 19, 2004, the Examiner rejected claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,666,676 to Rodriguez-Rodriguez et al. (Rodriguez). This rejection is respectfully traversed, as follows.

Claim 1 of the present invention is directed to a combustion control device comprising clock means for clocking a predetermined time from a point of time at which a microcomputer starts an ignition sequence of opening an on-off valve for supplying a gas to a gas burner and operating an ignition plug, and provided with safety means for detecting an ignited state of the gas burner at a point of time at which said clock means clocks the predetermined time and compulsorily closing the on-off valve when the gas burner is not in the ignited state, separately from the microcomputer, wherein the microcomputer detects an opening and closing state of the on-off valve as a result of compulsorily operating the safety means to perform an operation check of the safety means, before operating the ignition sequence.

Rodriguez teaches a programmable burner for gas stoves, which includes a gas burner and a safety valve that includes a thermocouple. A programmable device is connected with the thermocouple and the safety valve. The user specifies an operation period of the burner by programming an ignition time of the burner and an operation time. The safety valve is held open during the operational period as long as the

thermocouple is detecting the presence of a flame on the gas burner. The safety valve is closed when the operation period expires or when the flame is not detected.

Applicants note that, while Rodriguez teaches methods for opening and closing a safety valve, the safety valve of Rodriguez does not include a sensor to detect the opening or closing state of the valve. Therefore, Rodriguez does not teach or suggest that a microcomputer detects an opening and closing state of an on-off valve to perform an operation check of the safety means. In contrast, claim 1 of the present invention recites the limitation "the microcomputer detects an opening and closing state of the on-off valve as a result of compulsorily operating the safety means to perform an operation check of the safety means, before operating an ignition sequence." Thus, claim 1 is patentable over Rodriguez, and the Applicants respectfully request withdrawal of the rejection of claim 1.

Claims 2-12 depend on independent claim 1, and therefore claims 2-12 incorporate each and every limitation recited within claim 1. As claim 1 is patentable over the cited art, claims 2-12 are patentable over the cited art. Thus, withdrawal of the rejection of claims 2-12 is respectfully requested.


For all of the above reasons, it is respectfully submitted that the claims now pending patentability distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 referencing attorney docket number 024656-00027.

Respectfully submitted,

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